

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>	Attorney Docket No.	02-29	Total Pages	53
	First Named Inventor or Application Identifier			
	YURKO et al.			
	Title	METHOD AND SYSTEM FOR TRACKING AND MONITORING PATIENT COMPLIANCE WITH MEDICAL DEVICE USAGE PRESCRIPTION		
(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))		Express Mail Label No.	EV 196251487 US	

 03945 U.S. PRO  
10/645114  
08/21/03

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.	<b>ADDRESS TO:</b> Commissioner for Patents Box Patent Application Washington, DC 20231									
1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)  2. <input checked="" type="checkbox"/> Specification [Total Pages 35] (preferred arrangement set forth below) -Descriptive Title of the Invention -Cross References to Related Applications -Statement Regarding Fed sponsored R & D -Background of the Invention -Brief Summary of the Invention -Brief Description of the Drawings (if filed) -Detailed Description -Claim(s) -Abstract of the Disclosure  3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. § 113) [Total Sheets 2]  4. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages 3] a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Boxes 19 and 20 completed) [Note Box 5 below] i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b). c. <input type="checkbox"/> Unsigned  5. <input type="checkbox"/> Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.  6. <input checked="" type="checkbox"/> Application Data Sheet per 37 C.F.R. § 1.76 [Total Pages 3]	7. <b>DOMESTIC/INTERNATIONAL</b> priority is claimed under 35 U.S.C. § 119(e)/120/365(c) based on the following provisional, nonprovisional, and/or PCT international applications.  <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">Application No.</th> <th style="text-align: center;">Filing Date</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">(1)</td> <td>60/406,247</td> <td>August 27, 2002</td> </tr> <tr> <td style="text-align: center;">(2)</td> <td></td> <td></td> </tr> </tbody> </table> 8. <input checked="" type="checkbox"/> Prior application is assigned to <u>RIC Investments, Inc.</u> by Assignment recorded <u>January 17, 2003</u> Reel <u>013662</u> Frame(s) <u>0237</u> .  <b>ACCOMPANYING APPLICATION PARTS</b>  9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) (Please return recorded assignment to the undersigned)  10. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee)  11. <input type="checkbox"/> English Translation Document (if applicable)  12. <input checked="" type="checkbox"/> Information Disclosure <input checked="" type="checkbox"/> Copies of IDS Citations Statement (IDS)/PTO-1449  13. <input type="checkbox"/> Preliminary Amendment (to be entered before calculating fees)  14. <input checked="" type="checkbox"/> Return Receipt Postcard (Should be specifically itemized)  15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)  16. <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail  17. <input checked="" type="checkbox"/> Non-publication Request and Cert. under 35 U.S.C. § 122(b)(2)(B)(i) (attach copy of RI-186 Form (PTO/SB/35)).  18. <input type="checkbox"/> Other: _____		Application No.	Filing Date	(1)	60/406,247	August 27, 2002	(2)		
	Application No.	Filing Date								
(1)	60/406,247	August 27, 2002								
(2)										

19. If a <b>CONTINUING APPLICATION</b> , check appropriate box and supply the requisite information: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No. _____ Prior application Information: Examiner: _____ Group/ArtUnit: _____ 20. Please amend the specification by inserting before the first line the sentence: This is a <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No. _____
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<b>21. CORRESPONDENCE ADDRESS</b>	
Customer No. and Bar Code Label.	 <b>30031</b> PATENT TRADEMARK OFFICE

Name	Michael W. Haas	Reg. No.	35,174
Signature	<i>Michael W. Haas</i>	Date	August 21, 2003

**FEE TRANSMITTAL**

(Effective 01/01/2003)

Application Number Not Yet Assigned

Filing Date August 21, 2003

First Named Inventor YURKO et al.

Confirmation Number Unknown

Group Art Unit Unknown

Examiner's Name Unknown

Attorney Docket No. 02-29

Express Mail® Label No. EV 196251487 US

TOTAL AMOUNT OF PAYMENT \$ 1,998.00

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

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Number  
Deposit  
Account  
Name

50-0558

Respironics, Inc.

- ☒
- Charge any additional fee required under 37 C.F.R. §§ 1.16, 1.17 and 1.20
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- Charge the Issue Fee set forth in 37 C.F.R. § 1.18

- 2.
- ☒
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**FEE CALCULATION (fees effective 10/01/00)****1. FILING FEE**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	750.00
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

**SUBTOTAL (1)** \$ 750.00**2. CLAIMS**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
Total Claims 66	- 20 * 46 x	18 =	828.00
Ind. Claims 8	- 3 * 5 x	84 =	420.00
Multiple Dependent Claims add	280 =		0.00

\* Enter Highest Number Previous Paid For

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim
1204 84	2204 42	Reissue independent claims over original patent
1205 18	2205 9	Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** \$ 1,248.00**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or declaration	
1052	50	2052	25	Surcharge - late provisional filing fee or or cover sheet	
1811	100	1811	100	Certificate of Correction	
1812	2,520	1812	2,520	For filing a request for reexamination	
576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for response within first month	
1252	410	2252	205	Extension for response within second month	
1253	930	2253	465	Extension for response within third month	
1254	1,450	2254	725	Extension for response within fourth month	
1255	1,970	2255	985	Extension for response within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive unavoidably abandoned application	
1453	1,300	2453	650	Petition to revive unintentionally abandoned application	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1814	110	2814	55	Statutory Disclaimer	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of property)	
1809	750	2809	375	Filing a submission after final rejection (37 C.F.R. § 1.129(a))	
1801	750	2801	375	Request for Continued Examination	

Other Fee (specify) \_\_\_\_\_

**SUBTOTAL (3)** \$ 0.00**SUBMITTED BY**

Typed or Printed Name	Michael W. Haas	Reg. Number	35,174
Signature	<i>Michael W. Haas</i>	Date	August 21, 2003
		Deposit Account Number	50-0558

<b>NONPUBLICATION REQUEST AND CERTIFICATION UNDER 35 U.S.C. § 122(b)(2)(B)(i)</b>	First Named Inventor		YURKO et al.
	Title	Method and System for Tracking and Monitoring Patient Compliance With Medical Device Usage Prescription	
	Atty Docket Number		02-29
	Express Mail Label No.: EV 196251487 US		

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. §122(b).

8/21/03  
Date

Michael W. Haas  
Signature

724-387-5026  
Telephone number

Michael W. Haas (Reg. No. 35,174)  
Typed or printed name

This request must be signed in compliance with 37 CFR §1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. § 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. § 122(b)(2)(B)(iii)).**

## Certificate of Mailing by "Express Mail"

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August 21, 2003

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